## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application. Please cancel Claims 5 and 21 without prejudice or disclaimer.

**Listing of Claims:**

1. (Currently amended) A fire retardant resin composition comprising a polyphenol compound and an inorganic microfine particle,

wherein said polyphenol compound has such a structure that aromatic units each having at least one phenolic hydroxyl group are connected to one another through an organic unit containing two or more carbon atoms, wherein said organic unit containing two or more carbon atoms has a cyclic structure, and

said inorganic microfine particle is a product of hydrolysis and condensation of an alkoxide compound and/or a carboxylic acid salt compound and is a silica having not less than 0.001 nor more than 2.0 of an integral intensity ratio $A_{Q3}/A_{Q4}$ obtainable by splitting a peak situated in the range of -120 to -80 ppm in $_{29}$Si-DD/MAS-NMR spectrometry into a $Q^3$ silica component and a $Q^4$ silica component and has not more than 3.0 cal/g of exotherm per unit mass thereof as observed in differential scanning calorimetry and/or differential thermal analysis in an air stream at 100°C to 400°C.

.2. (Cancelled)

3. (Previously Presented) The fire retardant resin composition according to Claim 1 wherein said organic unit containing two or more carbon atoms has a triazine ring and/or an aromatic ring.

4. (Previously Presented) The fire retardant resin composition according to Claim 1 wherein said alkoxide compound contains a silicon alkoxide.

5. (Cancelled)

6. (Previously Presented) The fire retardant resin composition according to Claim 1 wherein said inorganic microfine particle comprises a discrete spherical particle and/or aggregates thereof with its average particle diameter as aggregate being not more than 100 μm.

7. (Previously Presented) The fire retardant resin composition according to Claim 1 which contains a compound having at least one structure selected from the group consisting of ether bond, ester bond, and nitrogen atom.

8. (Original) A method of producing a fire retardant resin composition comprising a polyphenol compound and an inorganic microfine particle,

which comprises a step of subjecting hydrolysis and condensation of an alkoxide compound and/or a carboxylic acid salt compound in a solution containing a polyphenol compound having such a structure that aromatic units each having at least one phenolic hydroxyl group are connected to one another through an organic unit containing two or more carbon atoms.

9. (Previously Presented) A method of producing the fire retardant resin composition according to claim 1,

which comprises a step of subjecting hydrolysis and condensation of an alkoxide compound and/or a carboxylic acid salt compound in a solution containing a reactant material for the polyphenol compound.

10. (Previously Presented) A curable fire retardant resin composition comprising, as essential components, the fire retardant resin composition according to Claim 1 and a compound having at least two glycidyl groups.

11. (Previously Presented) A semiconductor encapsulating material comprising, as essential components, the fire retardant resin composition according to Claim 1 and a compound having at least two glycidyl groups.

12. (Previously Presented) A wiring board insulation material comprising, as essential components, the fire retardant resin composition according to Claim 1 and a compound having at least two glycidyl groups.

13. (Original) A shaped article obtainable by curing the curable fire retardant resin composition according to Claim 10.

14. (Original) A semiconductor device obtainable by sealing with, and curing of, the semiconductor encapsulating material according to Claim 11.

15. (Original) An electric wiring board obtainable by curing of the wiring board insulation material according to Claim 12.

16. (Cancelled)

17. (Cancelled)

18. (Cancelled)

19. (Previously Presented) The fire retardant resin composition according to Claim 3 wherein said alkoxide compound contains a silicon alkoxide.

20. (Cancelled)

21. (Cancelled)

22. (New) The fire retardant resin composition according to Claim 1, wherein said polyphenol compound is produced from a reactant material comprising a compound for constructing an aromatic unit having at least one phenolic hydroxyl group and a compound for constructing an organic unit containing two or more carbon atoms, and

said compound for constructing an organic unit containing two or more carbon atoms is at least one compound selected from the group consisting of (1) aromatic compounds having any of α-hydroxyalkyl, α-alkoxyalkyl and α-acetoxyalkyl groups, (2) unsaturated bond-containing compounds, and (3) compounds having any of amino, hydroxyalkylamino, and di(hydroxyalkyl)amino groups.

23. (New) The fire retardant resin composition according to Claim 22, wherein said compound for constructing an organic unit containing two or more carbon atoms is at least one compound selected from the group consisting of compounds having a xylylene moiety, compounds having a biphenylene moiety, compounds having a dicyclopentadiene moiety, and compounds having a triazine moiety.

24. (New) The fire retardant resin composition according to Claim 22, wherein said compound for constructing an organic unit containing two or more carbon atoms is at least one compound selected from the group consisting of compounds having a dicyclopentadiene moiety, and compounds having a triazine moiety.-

25. (New) The fire retardant resin composition according to Claim 22, wherein said compound for constructing an organic unit containing two or more carbon atoms is a compound having a triazine moiety.

26. (New) The fire retardant resin composition according to Claim 1, wherein said inorganic microfine particle comprises discrete spherical particles and/or aggregates thereof, and the average particle diameter is not more than 2 μm.

27. (New) The fire retardant resin composition according to Claim 1, wherein the content

of said inorganic microfine particle relative to 100 mass % of the fire retardant resin composition is not less than 3 mass % nor more than 50 mass %.